

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Herbert Ainsworth Henderson

Docket No. 5:06-CR-212-1D

Petition for Action on Supervised Release

COMES NOW Christopher Studley, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Herbert Ainsworth Henderson, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Felon, 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on November 20, 2007, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Herbert Ainsworth Henderson was released from custody on February 23, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 16, 2016, a revocation hearing was held in response to the defendant's fourth positive drug test within a 12 month period. The court found that the defendant violated the terms of his supervision by using a controlled substance and continued the defendant on the supervision term previously imposed. Since that time, the use of alcohol has been identified as a trigger for the defendant's illegal drug use. In an effort to monitor the defendant's alcohol use and reduce the risk of the defendant's relapse into the use of illegal drugs this officer recommends that the defendant be placed on Remote Alcohol Monitoring for a period not to exceed 120 days.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 120 consecutive days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain

Michael C. Brittain
Supervising U.S. Probation Officer


/s/ Christopher Studley

Christopher Studley
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
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Executed On: January 27, 2017

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ORDER OF THE COURT

Considered and ordered this 8 day of February, 2017, and ordered filed and made a part of the records in the above case.


James C. Dever III
Chief U.S. District Judge